

REMARKS/ARGUMENTS

The present Amendment is in response to the Final Office Action having a mailing date of March 27, 2006. Claims 1-14 are pending in the present Application. Applicant has canceled claims 13-14. Consequently, claims 1-12 remain pending in the present application.

Applicant has amended claims 1 and 6 to include the limitations of claims 13 and 14, respectively. Accordingly, Applicant respectfully submits that no new matter is added and no new search is required.

This application is under Final Rejection. Applicant has presented arguments hereinbelow that Applicant believes should render the claims allowable. In the event, however, that the Examiner is not persuaded by Applicant's arguments, Applicant respectfully requests that the Examiner enter the Amendment to clarify issues upon appeal.

In the above-identified Office Action, the Examiner rejected claims 1-14 under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,678,833 (Grawrock) in view of U.S. Patent No. 6,161,177 (Anderson). In response to Applicants' arguments, the Examiner indicated that Anderson teaches that:

one can record this identity of a boot source. . . Furthermore, even if the identity of the boot source were strictly limited to the a reference to the boot source location, it is inherent to the Anderson reference that the identifying information/identity of the BIOS must include a location, as Anderson clearly teaches that the computer system involved can store multiple BIOS/boot sources . . .

The Examiner further indicated that it "is unclear whether Grawrock discloses further including writing the identity of a boot source. However, Anderson discloses this limitation (col. 3, lines 20-25)."

Applicant respectfully traverses the Examiner's rejection. Claim 1 recites:

1. A method for evaluating a boot source in a computer system having a processor comprising:
determining the boot source used by the processor each time the computer system boots, the boot source determining further including writing an identity of the boot source, the identity of the boot source including a location of a particular number of instructions initially executed; and
allowing the boot source to be specified once as a known boot source.

6. A system for evaluating a boot source in a computer system having a processor coupled with a boot source, the system comprising:
a first register for storing an identity of the boot source used by the processor each time the computer system boots, the identity of the boot source including a location of a particular number of instructions initially executed; and
a second register for allowing the boot source to be specified once as a known boot source.
Thus, the method and system recited in claims 1 and 6 evaluates the boot source.

Claims 1 and 6 recite that *each time the computer system boots*, the identity of the boot source is determined. This determination includes writing the identity of the boot source. The identity of the boot source includes the location of a number of instructions initially executed. Thus, each time the computer system boots, the identity of the boot source (including the location of instructions initially executed) is written. Consequently, it can be determined whether the boot source is a trusted boot source. Thus, the source, or location, of the instructions that are actually executed can be provided and independently verified. Specification, page 8, lines 13-15. Because the source of the instructions is verified, the boot source is evaluated and, therefore, trusted. As a result, a trusted boot source can be reliably provided. Specification, page 8, lines 15-16.

As previously argued, Grawrock discloses storing an identifier (the boot block identifier) for the boot source, not the identity of the boot source including a number of instructions initially executed. Grawrock specifically states that this boot block identifier is a hash of “boot information.” Grawrock, col. 3, lines 57-61. Grawrock further states that the “‘boot information’ may be an image of the boot block code or multiple sub-images that collectively represent the

boot block code, which is used to monitor the boot process.” Grawrock, col. 3, lines 45-50. Thus, the boot information corresponds to the boot code itself not than an identity that includes the location of a particular number of instructions initially executed. Because the boot block identifier of Grawrock is a hash of the boot information, the boot block identifier of Grawrock merely corresponds to the contents of (instructions in) the boot source. The boot block identifier of Grawrock does not correspond to the recited identity of the boot source, but merely corresponds to the boot code. Grawrock thus fails to teach or suggest storing of the recited boot block identity each time the computer system is booted.

Anderson also fails to teach or suggest the recited method and system for evaluating a boot source including storing the identity of the boot source each time the computer system is booted, wherein the identity includes the location of instructions initially executed. Anderson is concerned with ensuring that the central processing unit (CPU) and BIOS are compatible. Anderson, Abstract. Anderson thus describes a system that reads “identifying data” for the BIOS. Anderson, col. 4, lines 50-54. However, Anderson specifically states that this “BIOS identifying data [is data] specifying the CPU or other chip set components corresponding to the BIOS program, i.e., the CPU that the BIOS program was designed to be executed by or the chip set components that the BIOS program was designed to operate with.” Anderson, col. 3, lines 5-10. This identifying data is merely sufficient to determine whether the BIOS and hardware correspond to the same central processing unit and chip set. Anderson, col. 2, line 65-col. 3, line 20. This identifying data is, therefore, distinct from the recited identity of the boot source. Thus, like Grawrock, Anderson fails to describe writing the recited identity of the boot source, for example to a register as part of a method that checks.

Furthermore, Anderson fails to teach or suggest storing the recited identity *each time* that the computer system is booted. Although Anderson describes performing a test each time there is a power up, this test does not include writing the recited identity. Anderson, col. 4, line 50-col. 5, line 5. Instead, Anderson describes reading the hardware identifying data and data that relates to the BIOS. Anderson, col. 4, lines 50-54. Anderson then checks the information that has been read to determine whether the BIOS and hardware match. Anderson, col. 4, lines 54-60. If the information matches, no further action is taken. Anderson, col. 4, lines 60-61. If, however, the information does not indicate that the hardware and BIOS are compatible, then remedial action may be taken. Anderson, col. 4, lines 61-62. Thus, Anderson further fails to teach or suggest writing the recited identity of the boot source each time the computer system is booted.

If the teachings of Anderson were added to those of Grawrock, then in addition to storing the boot block identifier of Grawrock, the combination might also perform the test of Anderson to determine whether the hardware and BIOS are compatible. However, neither the boot block identifier of Grawrock nor the reading of BIOS and hardware information of Anderson include writing the recited identity of the boot source. Stated differently, even if the teachings of Anderson were combined with those of Grawrock, the combination would not write the identity of the boot source, including the location of a number of instructions initially executed, each time the computer system boots. Consequently, Grawrock in view of Anderson fail to teach or suggest the method and system recited in claims 1 and 6, respectively. Accordingly, Applicant respectfully submits that claims 1 and 6 are allowable over the cited references.

Claims 2-5 depend upon independent claim 1. Claims 7-12 depend upon independent claim 6. Consequently, the arguments herein apply to claims 2-5 and 7-12. Accordingly, Applicant respectfully submits that claims 2-5 and 7-12 are allowable over the cited references.

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,
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Date

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